

REMARKS

In the reasons for allowance, the Examiner stated that “An enormous number of prior art references have been submitted in the parent cases without description or relevancy. These references cited on the 1449 have been given a cursory review commensurate to the manner they are submitted.” Furthermore, on Applicant’s Information Disclosure Statements form 1449 the Examiner noted “cursory reviewed” beside her initials. The Examiner’s notation of “cursory reviewed” on Applicant’s Information Disclosure Statements in this (and its related cases) is improper under PTO rules. In the Detailed Action, Interview Summaries, Office Actions and related cases at least the following references were carefully considered by the examiner:

- (1) U.S. 4,786,505, by Lovgren, *et al.*;
- (2) U.S. 5,447,918, by McCullough;
- (3) U.S. 5,840,737, by Phillips;
- (4) U.S. 5,792,473, by Gergely, *et al.*;
- (5) Japanese Patent Appln. No. 05255088;
- (6) Japanese Patent Appln. No. 055194225, by Oishi, *et al.*;
- (7) Japanese Patent Appln. No. 055194224, by Oishi, *et al.*;
- (8) Japanese Patent Appln. No. 05294831;
- (9) EP 670160, by Gergely, *et al.*;
- (10) Quercia, *et al.*, Abstract of ASHP Midyear Clinical Meeting, Vol. 31, p. P-51E (Dec. 1996);
- (11) Carroll and Trudeau Abstact from 10th World Congress of Gastroenterology (Oct. 1994);
- (12) Phillips, Critical Care Med. Suppl. (Jan. 6, 1995);

- (13) Pilbrant, et al., "Development of An Oral Formulation of Omeprazole," Scand. J. Gastroenterol, Vol. 20, (Suppl. 108) pp. 113-120 (1985);
- (14) Pilbrant, "Principles for Development of Antacids," Scand. J. Gastroenterol Suppl., Vol. 75, pp. 32-36 (1982);
- (15) Andersson, T., "Pharmacokinetics and Bioavailability of Omeprazole After Single and Repeated Oral Administration in Healthy Subjects," et al., Br. J. Clin. Pharmac., Vol. 29, pp. 557-563 (1990);
- (16) Andersson, T., et al., "Pharmacokinetics of Various Single Intravenous and Oral Doses of Omeprazole," European Journal of Clinical Pharmacology, Vol. 39, pp. 195-197 (1990);
- (17) Landahl, S., et al., "Pharmacokinetic Study of Omeprazole in Elderly Healthy Volunteers" by Clin. Pharmacokinet., Vol. 23, No. 6, pp. 469-476 (1992);
- (18) U.S. 5,708,017, Dave, *et al.*;
- (19) U.S. 6,248,363, by Patel *et al.*;
- (20) U.S. 6,391,342, by Henriksen *et al.*
- (21) U.S. Patent Appln. No. 2002/0192299, by Taneja, *et al.*;
- (22) WO 94/02140; and
- (23) WO 97/25030.

CONCLUSION

Applicant respectfully submits that the Examiner's "cursory reviewed" statements are improper and in fact inaccurate in view of the careful consideration of the references. Applicant hereby reserves its right to petition the Commissioner on this issue. The Examiner is encouraged to contact the undersigned with any questions or to otherwise expedite prosecution.

Respectfully submitted,

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